

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DONALD C. HUTCHINS,

Plaintiff,

vs.

CARDIAC SCIENCE, INC., et. als

Defendant.

CASE NO.04-30126-MAP

STIPULATED MOTION TO EXTEND DEADLINES

NOW COME Steven Weiss, Chapter 7 Trustee for the bankruptcy estate of Donald Hutchins, and Cardiac Science, Inc. and hereby jointly request that various pretrial deadlines in this case be postponed, and that the pretrial hearing in this case be used instead as a status conference. In support thereof, the Trustee respectfully states as follows:

1. On April 23, 2007 Donald C. Hutchins (the "Debtor") filed a Chapter 7 petition with the United States Bankruptcy Court for the District of Massachusetts (Docket No. 07-41459-HJB).

2. Steven Weiss has been appointed as Chapter 7 Trustee in the case.

3. As a result of the Debtor's filing of his petition, the Debtor's claims in this complaint constitute property of the bankruptcy estate, pursuant to 11 U.S.C. §541.

4. As a result of various orders previously issued in this case, and pursuant to the Rules of Civil Procedure, a number of

pretrial deadlines have been established¹; the Court has scheduled a pretrial conference for July 25, 2007 at 2:00 p.m., and has scheduled the trial to commence on September 10, 2007.

5. The Trustee has only recently begun administration of the bankruptcy case², and needs additional time to evaluate the Debtor's claims in this case, and how they should be administered for the estate. In addition, in the event that the Trustee decides to try the case, he will need additional time to comply with various scheduling orders and requirements, and to prepare for trial.

6. Therefore the Trustee requests that this Court issue an order suspending the existing deadlines until July 25, 2007; that the pretrial conference scheduled for that date instead be conducted as a status conference; that the September 10th trial date be postponed.

7. The Trustee has conferred with counsel for the Defendant Cardiac Science, Inc. in this matter, who agrees to the relief requested herein.

¹ On information and belief, the current deadlines are as follows: June 25, 2007, Pretrial disclosures; July 10, 2007, Parties to meet and confer; July 18, 2007, Pretrial memo due; August 17, 2007, Motions in Limine due; August 31, 2007 Motions in Limine heard; September 4, 2007, Trial pleadings due; September 5, 2007, Trial briefs due.

² The meeting of creditors was commenced on June 1, 2007, coincidentally the same date this Court issued its most recent opinion in this case.

WHEREFORE, Trustee and Cardiac Science, Inc. respectfully pray:

1. That the pretrial deadlines be extended as set forth herein; that the pretrial conference be used instead as a status conference; that the September 10, 2007 trial date be postponed; and

2. For such further relief as this Court deems just and proper.

Respectfully submitted this 22nd day of June, 2007.

STEVEN WEISS, CHAPTER 7 TRUSTEE
ESTATE OF DONALD C. HUTCHINS

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